

Noeleen Roche

From: Licensing Staff
Subject: Submission No 737 Cllr Damian O'Farrell

From: Wexford Receptionist
Sent: 31 August 2015 10:10
To: Licensing Staff
Subject: FW: Submission in respect of Application No.S0024-01 Dublin Port Company for Dumping at Sea permit

Received at info@epa.ie

Regards,
Teresa Roche

*Duty Receptionist/Programme Officer,
Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, Wexford.
Bosca Poist 3000, Eastát Chaisleán Bhaile Sheáin, Contae Loch Garman.
Tel: 00353 53 91 60600: Fax: 00353 53 91 60699: Email:
info@epa.ie [web:www.epa.ie](http://www.epa.ie)
Lo Call: 1890 33 55 99*

From:
Sent: 30 August 2015 18:56
To: Wexford Receptionist
Subject: Fwd: Submission in respect of Application No.S0024-01 Dublin Port Company for Dumping at Sea permit

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Environmental Protection Agency
Office of Climate, Licensing & Resource Use
PO Box 3000
Johnstown Castle Estate
Co Wexford

29th August 2015

Re: Application No. S0024-01 Dublin Port Company for Dumping at Sea Permit

Dear Sir/Madam,

We wish to record our opposition to Dublin Port Company's 'Dumping at Sea' permit application in respect of their Alexandra Basin Redevelopment project and enclose a submission to that effect.

We support a vibrant port, however Dublin Bay is a vital national environmental asset and needs to be protected more than ever. This single application proposes to dump more material (10.7 mil tonnes) at this site than has been dumped at this location over the last 17 years (9.4 mil tonnes). The applicant's proposals are at a scale never before seen in this country.

The application and attached reports very much concentrate on the chosen site west of the Burford Bank and we contend that there is very little effort (as required by the Dumping at Sea Acts) to explore the possibility of an alternative site(s) or method of disposal. Many of the environmental /ecology issues pertaining to the Dublin Bay Biosphere area are glossed over in the reports which are sometimes out of context. We're reminded of damning criticism which High Court Judge McKeachie gave to the lead engineers on this project RPS when ruling on a previous matter in the port (Incinerator) and we certainly feel this application on close inspection doesn't meet the standards required in order for a licence to be granted.

Submission

Dublin Port 'Dumping at Sea' Permit Application

Alternatives to Dumping at sea.

Under the provisions of Section 5(2) of the *Dumping at Sea Acts 1996 to 2009*, the dumping of substances or material at sea is only acceptable when the EPA is satisfied there are no other suitable alternative means of disposal. Applicants must provide details of all investigations into alternative means of disposal or reuse of the substance or material. Applicants must also demonstrate that all necessary steps have been undertaken to minimise the quantity to be dumped.

In this instance, the applicant has not complied with the stated requirement of section 5 (2) of the Act. The applicant has not provided supporting documents of investigations undertaken into the alternative 'land fill' disposal option. The application includes very brief passing comments beneficial to their 'dumping at sea' application but has no supporting evidence to back up their

arguments e.g. there are no attaching reports from owners or operators of 'land fill' sites. In addition, the applicant provides no evidence of having investigated the possibility of even a quantity of the materials being disposed of at a land fill site which would minimise the quantity to be dumped at sea and comply with the Dumping at Sea Act.

Will the proposed dumping site recover ecologically?

The application refers to a 'benthic' survey taken at the site in late 2007 (Kennedy 2008) to assess the levels of recovery at the site from previous spoil disposal events. The findings concluded that the site had recovered well ecologically from previous events. The applicant cites further sampling programmes as evidence that the biological communities present in Dublin Bay are resilient to the continued disposal of dredge spoil.

The applicant's supplied information has little relevance and is out of context due to the scale of the dumping proposed in their application, the likes of which this Biosphere area has never seen before. I note in their table E.1.1 that the total quantity for disposal at this location from 1996 to 2012 (17 years) is 9.4mill tonnes which is still less than the total being proposed in this one application (10.7mill tonnes) over 5 years.

The entirety of Dublin Bay is now recognised as a Biosphere and only evidence unique to this area and at the level of the dumping scale proposed should be considered.

Contaminated sediments

While it is proposed to dispose of contaminated Alexander Basin' sediments as infill for Berths 52/53, there is a lack of disposal information contained in the report on 'marginally' contaminated materials adjacent to Alexander Basin. In the past unfortunately, disposal at sea has been allowed for this 'marginally' contaminated material, however there is no information on possible volumes of sediment in this category (which is contaminated with dangerous metals including Arsenic, Lead Zinc and Mercury). Also, due to the prevailing tidal conditions in the area, sands and silts containing these materials will find their way back into the Bay causing damage to Bull Island, Sutton Creek and The Blue Lagoon area. This will damage the ecology of the area including putting the future of our bird sanctuary at risk. There should be no licence granted to permit dumping of possible contaminated sediment near Dublin Bay.

Proximity of site to shore

The dump site is located approximately 7 km east of the Great South Wall. The nearest shore is The Baily on the Howth Peninsula which is approximately 3 km from the dump site. The proposed site is too near the shore in Dublin Bay for the scale of the proposed dumping.

Suitability of proposed site

The chosen disposal site to the west of the Burford Bank is dispersive and while the applicant contends that the site has been '*selected to keep the fine sands deposited at the site within the natural Dublin Bay sediment cell*' the EPA will find that submissions from many informed groups with local knowledge using Dublin Bay will have an opposite view in that this dispersal is not to the benefit of Dublin Bay since much of the 10.7 million tonnes of dredging will find its way back into the Bay causing environmental problems .

The applicant's application goes to great lengths to try and illustrate the suitability of this site however again there is no evidence of efforts made to source an alternative site be that further out to sea or landfill or either to use a number of sites or varied types of sites for disposal.

Additional Environmental issues

Dublin Bay has been designated as a UNESCO Biosphere, a Natura 2000 site and an area of Special Conservation. If this 'Dumping at Sea' permit is granted for the volumes suggested (10.7 million tonnes) the natural environment will suffer immeasurably as well as putting our designations at risk.

The ecological physical impact of the pouncing / dredging and the dumping at sea over this prolonged period will have a devastating effect on the sea and plant life in this area.

The water quality in the Bay would be adversely affected by the sheer scale of this dredging / dumping (10.7 mill tonnes) project. This would have a damaging affect on sea-life as well as water leisure and commercial activity in the Bay area.

The deepening of the Fairway channel into the port would increase the wave height at Dollymount and Clontarf and would increase the danger and level of flooding in these areas.

We believe that the day has long passed that Dublin Bay Biosphere is to be used as a dumping ground. The applicants have not demonstrated a willingness to seek out and consider other sites further out and deeper at sea or alternatively a suitable land infill site(s) or land reclamation project. We would urge you to reject their permit application.

Yours Sincerely,

Finian McGrath TD

Leinster House

Kildare Street

Dublin 2

Dublin North Bay Constituency

Cllr Damian O'Farrell (IND)

Member of Dublin City Council

52 Griffith Court

Marino

Dublin 3

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